

Legislative Fiscal Bureau

Fiscal Note

SF 2106 - Covenant Marriage (LSB 6608 SV)

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Fiscal Note Version - New

Requested by Senator Neal Schuerer

Description

Senate File 2106 establishes the procedure and requirements for a covenant marriage. The Bill requires the county registrar to provide each applicant for a marriage license with an informational pamphlet on covenant marriage, prepared by the Office of the Attorney General. Senate File 2106 requires that the parties to a covenant marriage complete at least 12 hours of premarital education. The Court shall order parties to a covenant marriage, who are seeking a dissolution, to complete at least 12 hours of marriage counseling. Senate File 2106 provides a procedure for an existing marriage to be designated a covenant marriage. The Bill provides the exclusive grounds for obtaining support and maintenance or dissolution of a covenant marriage.

Assumptions

1. A covenant marriage is discretionary on the part of the applicants.
2. County Recorder's Offices are required to perform additional duties. These duties include providing the Covenant Marriage Option pamphlet, and explaining the procedures for a covenant marriage, to each marriage applicant; reformatting the marriage application; and additional record storage requirements.
3. Any counseling costs shall be paid by the marriage applicants or the parties seeking a dissolution of the marriage.
4. There are approximately 23,000 applications for marriage annually.
5. The Office of the Attorney General is required to provide a Covenant Marriage Option pamphlet to county registrars, ministers, marriage and family counselors, justices, judges, and magistrates.
6. There will be 50,000 pamphlets distributed annually.
7. The Attorney General's Office is required to create Covenant Marriage Option pamphlets.
8. The Department of Public Health would be required to reprint and redistribute new marriage licenses to all 100 county courthouses.

Fiscal Impact

Senate File 2106 will result in increased General Fund costs of \$45,000 in FY 2003 and \$38,000 in FY 2004.

State General Fund

The General Fund fiscal impact to the Office of the Attorney General is approximately \$19,000 in FY 2003 and \$12,000 annually to print and distribute the Covenant Marriage Option pamphlet.

Parties to a covenant marriage who are seeking dissolution will be required to appear in District Court. This provision may result in more trials at the District Court level. However, since the covenant marriage provision is optional, the number of covenant marriages that would be dissolved is unknown.

Senate File 2106 would require a revision of the marriage certificate. The Department of Public Health would have increased costs of \$26,000 to reprint and redistribute the updated marriage certificates to all 100 county offices for FY 2003. This would be an annual ongoing expense.

Local Government

Senate File 2106 may also result in increased workloads in County Recorder's Offices. Staff will spend more time with each applicant for a covenant marriage, and the Office may incur additional records storage costs. Because it is not known how many covenant marriage applications will be filed in each county, the fiscal impact to County Recorder's Offices cannot be determined.

Sources

Office of the Attorney General
State Court Administrator's Office
Department of Public Health
Polk County Recorder Office
Story County Recorder Office
Jasper County Recorder Office

/s/ Dennis C Prouty

February 13, 2002

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
